

A⁸
47. (Amended) An isolated DNA fragment for directing the expression of a foreign or endogenous gene in a cell, said fragment comprising a sequence as set forth in nucleotides -2690 to -1 of SEQ ID NO:18 operably linked to an ATG start codon of a foreign or endogenous gene.

A⁹
49. (Amended) A method for regulating the expression of a gene which comprises providing a gene of interest operably linked to an *SPL gene* promoter, transferring said operably linked gene to a cell and expressing said gene under gene expression conditions, wherein said *SPL gene* promoter comprises a nucleotide sequence located within nucleotide positions -2690 to -1 of the nucleotide sequence set forth in SEQ ID NO:18 or a nucleotide sequence which hybridizes to said sequence and promotes expression of an operably linked gene.

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